Calendar No. 37

102D CONGRESS
1st Session

SENATE

REPORT
102-21

TACONIC MOUNTAINS PROTECTION ACT OF 1991

MARCH 12 (legislative day, FEBRUARY 6), 1991.—Ordered to be printed

Mr. LEAHY, from the Committee on Agriculture, Nutrition, and Forestry, submitted the following

REPORT

[To accompany S. 483]

The Committee on Agriculture, Nutrition, and Forestry, to which was referred the bill (S. 483) having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF THE MEASURE

The Taconic Mountains Protection Act of 1991 would expand the purchase boundaries of the Green Mountain National Forest to include the Taconic Mountain Range within Bennington County, Vermont. The proposed expansion was initiated by the Bennington County Regional Commission, supported at town meetings, and approved by the General Assembly of the State of Vermont through legislation passed June 4, 1990.

BACKGROUND AND NEED

There is a need to protect and preserve the character of southwestern Vermont's Taconic Range so it will forever remain open to all Americans. Expanding the boundaries of the Green Mountain National Forest to include Bennington County will guarantee such public access.

Steady residential growth (roughly 2 percent annually since 1980) in southwestern Vermont, prompted the Bennington County Regional Commission to look for new land-management tools. In an October, 1988 report, "Analysis of Forest Land Ownership & Development Effects," the commission assessed the financial and qualitative effects of public land ownership.

S163-2.

The Commission focused on expanding the Green Mountain National Forest proclamation boundary westward to include the Taconic Range in the towns of Arlington, Bennington, Dorset, Manchester, Pownal, Rupert, Sandgate and Shaftsbury.

By expanding the national forest boundary, local officials can protect open space, wildlife habitat, forest land and other natural resources for public use and enjoyment. Such transactions also can help limit development in areas where town plans consider it undesirable.

The commission found many advantages to Forest Service land acquisition, but noted in its report that removing land from a town's tax revenue base was a prime concern still to be addressed. Using a variety of parcels in eight Bennington County towns in the Taconic Range, the commission studied how Forest Service land acquisition would affect State aid to education, a town's budget and its environmental and public-use objectives. The commission concluded that, "In no town, does National Forest System land ownership generate a negative balance per acre."

Acquiring the Taconic range will help protect open space, fish and wildlife habitat and soil and water resources. A larger Green Mountain National Forest will also provide additional opportunities for recreation and economic development through sustainable forest-management practices.

Adding the Taconic Mountains to the Green Mountain National Forest is a logical next step in a land-use process that has already protected the spine of the Green Mountains from the Massachusetts border on the south, to Camel's Hump to the north.

LEGISLATIVE HISTORY AND COMMITTEE CONSIDERATION

By enacting S. 99, "An Act Relating to State Review of National Forest Lands Acquisitions," on June 4, 1990, the General Assembly of the State of Vermont consented to the expansion. Areas under consideration in the towns of Rupert and Sandgate must first be approved by a majority of residents in advisory referenda and by the local legislative body before a State board reviews the transaction.

Senator Patrick Leahy (D-VT) introduced S. 483, "Taconic Mountains Protection Act of 1991" February 6, 1991. Senator James Jeffords (R-VT) cosponsored the legislation. On March 6, 1991, the Committee met in an open business session and ordered S. 483 favorably reported, without amendment, to the Senate on a voice vote.

SECTION-BY-SECTION ANALYSIS

Section 1 states the findings and purposes on which this legislation is based.

Section 2 provides that the boundaries of the Green Mountain National Forest be expanded to include the Taconic Mountain Range within Bennington County, Vermont. The new boundaries are depicted on a map entitled "Taconic Mountain Expansion" dated March 1, 1991, on file and available for public inspection in the Office of the Chief of the Forest Service, U.S. Department of Agriculture, Washington, District of Columbia. Within the area

outlined on that map, the Secretary of Agriculture shall acquire lands, waters, and interests therein using his authority under the Act of March 1, 1911, as amended. The acquired land is to be managed under that Act for national forest purposes.

COST ESTIMATE

In accordance with paragraph 11(a) of rule XXVI of the Standing Rules of the Senate, the Committee estimates that enactment of S. 483 will have no budgetary impact.

In accordance with the Congressional Budget Act of 1974, the Congressional Budget Office prepared the following cost estimate, which is consistent with the Committee's cost estimate.

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, March 11, 1991.

Hon. PATRICK J. LEAHY,
Chairman, Senate Committee on Agriculture, Nutrition, and Forestry, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has reviewed S. 483, the Taconic Mountains Protection Act of 1991, as ordered reported by the Senate Committee on Agriculture, Nutrition, and Forestry on March 6, 1991.

S. 483 would expand the boundary of the Green Mountain National Forest to include an additional 185,000 acres. Based on information from the Forest Service, we expect that this expansion would result in additional land acquisition activities in the forest. Assuming appropriation of the necessary funds, we estimate that these activities would increase federal outlays by about $5 million over the next five years. Additional management costs are not likely to be significant.

This bill does not affect direct spending or receipts and therefore would not affect pay-as-you-go scoring. Enactment of S. 483 would not affect the budgets of state or local governments.

If you wish further details on this estimate, we would be happy to provide them. The CBO staff contact is Theresa Gullo who can be reached at 226–2860.

Sincerely,

ROBERT D. REISCHAUER,
Director.

REGULATORY IMPACT EVALUATION

In compliance with paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee found that S. 483 is not a regulatory measure in the sense of imposing government established standards or economic responsibilities on private individuals or businesses. The bill is therefore expected to have no regulatory impact on any state or local government or on business.

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